



UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cory O. Nykoluk

Appln. No. 09/604,995

Art Unit: 3727

Filed: June 28, 2000

Examiner: Tri M. Mai

For: TOWABLE WHEELED BACKPACK

Docket No.: 26/1143US

Assistant Commissioner for Patents
Washington, D.C. 20231

Declaration of Prior Invention in the United States to Overcome Cited Patent
(37 C.F.R. §1.131)

Being of legal age, I, Cory O. Nykoluk, declare and state as follows:

1. This declaration is to establish completion of the invention described in the above referenced application in the United States, at a date prior to June 13, 2000, that is the effective date of United States Patent 6,279,706 cited by the Examiner.
2. I am the sole inventor of the subject matter of the above referenced application.
3. I invented the subject matter described in the above referenced application prior to June 13, 2000 and reduced the subject matter of the invention to practice prior to June 13, 2000.
4. Attached hereto as Exhibit A is a true and accurate copy of various photographs showing a device which embodies the subject matter of claims 1 through 20 of the above referenced application. The pictured device was constructed from my designs on a date prior to June 13, 2000.
5. I did carry out the above described invention and reduction to practice in the United States of America.
6. This declaration is submitted prior to a final rejection.

7. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7.18.02

Date

Cory O. Nykoluk

Cory O. Nykoluk

Inventor of US Patent App. Ser. No. 09/604,995